

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**DAVID SAMBRANO, individually, and  
on behalf of all others similarly situated,**

**Plaintiffs,**

**V.**

**UNITED AIRLINES, INC.,**

**Defendant.**

**Civil Action No.**

**4:21-CV-01074-P**

## **JOINT MEDIATION REPORT**

Plaintiffs and Defendant submit this Joint Mediation Report pursuant to the Court’s October 20, 2021, Order, which directs the parties to “detail[] the settlement negotiations, including a statement on the parties’ progress towards settlement and on lingering issues before the Court in this case, if any.” ECF No. 81 (“Order”).

1. Since the Order was issued, the parties have been working with the mediators appointed by the Court, including the Honorable Kent Hance, Chancellor-Emeritus, as Lead Mediator and Honorable Royal Furgeson (Ret.), Dean-Emeritus, as Local Mediator. Counsel for both sides spoke separately with the mediators on several occasions beginning on Friday, October 21, 2021.

2. On Monday, October 25, 2021, the mediators met with counsel for both sides at the Omni Hotel in Fort Worth from 7 p.m. until approximately 9 p.m. Plaintiffs were represented by Gene Schaerr and John Sullivan. United was represented by Don Munro and Russell Cawyer.

2. The parties conducted a day-long, in-person mediation on Tuesday, October 26, 2021, from 9:00 a.m. to approximately 6:00 p.m., at the Omni Hotel in Fort Worth, Texas. The

plaintiffs in attendance were David Sambrano, David Castillo, Kimberly Hamilton, Genise Kincannon, and Seth Turnbough. Debra Jennifer Thal Jonas is ill and so was unable to attend in person. Plaintiffs' counsel Gene Schaerr and John Sullivan were also present. United was represented by Vania Wit, deputy general counsel, Sheila Frederick, associate general counsel, Mary O'Neil, senior managing counsel, and Kirk Limacher, Vice President, Human Resources. United's counsel Don Munro and Russell Cawyer were also present.

3. Each side had multiple meetings with the mediators throughout the day, and thoroughly discussed the various issues. The parties also exchanged settlement proposals through the mediators.

4. Since then, the parties have continued to discuss this matter with the mediators in phone conferences.

5. Despite these efforts, the parties have not, as of the deadline for this Report, been able to reach agreement on any of the issues pending before the Court. The parties, however, are still discussing a possible settlement with respect to a subset of the putative class, and will report the results of that discussion to the Court on or before Tuesday, November 2

6. Neither party has any objection if the Court wishes to conduct private conversations with the mediators regarding their impressions of the case, the prospects for settlement, or any related issues.

Respectfully submitted,

/s/ John C. Sullivan

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**ATTORNEYS FOR DEFENDANT  
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**CERTIFICATE OF SERVICE**

On October 29, 2021, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Russell D. Cawyer  
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